

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

USA BASEBALL, THE NATIONAL HIGH  
SCHOOL BASEBALL COACHES  
ASSOCIATION, DR. PETER BERG, JUAN  
HERNANDEZ, DENNIS CANALE, MEL  
ZITTER, MICHAEL CRUZ, TITO  
NAVARRO, JOHN TORRES, EASTON  
SPORTS, INC., WILSON SPORTING  
GOODS CO., RAWLINGS SPORTING  
GOODS COMPANY, HILLERICH &  
BRADSBY COMPANY, INC.,

07 Civ. 3605 (JGK)

**MOTION TO ADMIT COUNSEL**

**PRO HAC VICE**

Plaintiffs,

- against -

CITY OF NEW YORK,

Defendant.

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I, JOHN F. COLLINS, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission pro hac vice of

Applicant's Name: DAVID A. ETTINGER  
Firm Name: Honigman Miller Schwartz and Cohn LLP  
Address: 660 Woodward Avenue  
2290 First National Building  
City/State/Zip: Detroit, MI 48226-3506  
Phone Number: 313 465-7368  
Fax Number: 313 465-7369

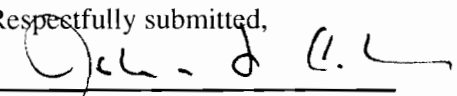
DAVID A. ETTINGER is a member in good standing of the Bar of the States of Michigan

There are no pending disciplinary proceeding against DAVID A. ETTINGER in any State or Federal court.

Dated: May 10, 2007

New York, New York

Respectfully submitted,

  
John F. Collins (JC 9324)

Firm Name: Dewey Ballantine LLP  
Address: 1301 Avenue of the Americas  
City/State/Zip: New York, New York 10019-6092  
Phone Number: 212 259-7080  
Fax Number: 212 259-6333

6-14-07 10:07 AM #25

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USA BASEBALL, THE NATIONAL HIGH SCHOOL  
BASEBALL COACHES ASSOCIATION, DR. PETER  
BERG, JUAN HERNANDEZ, DENNIS CANALE,  
MEL ZITTER, MICHAEL CRUZ, TITO NAVARRO,  
JOHN TORRES, EASTON SPORTS, INC., WILSON  
SPORTING GOODS CO., RAWLINGS SPORTING  
GOODS COMPANY, HILLERICH & BRADSBY  
COMPANY, INC.,

Plaintiffs

-against-

CITY OF NEW YORK,

Defendant.

07 Civ. 3605 (JGK)

AFFIDAVIT OF  
JOHN F. COLLINS  
IN SUPPORT OF MOTION  
TO ADMIT COUNSEL  
PRO HAC VICE

State of New York     )  
                                  ) ss:  
County of New York    )

JOHN F. COLLINS, being duly sworn, hereby deposes and says as follows:

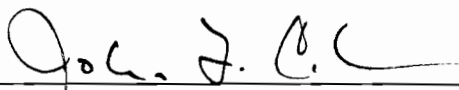
1. I am a member of the firm Dewey Ballantine LLP, counsel for Plaintiffs in the above captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of Plaintiffs' motion to admit David A. Ettinger as counsel pro hac vice to represent Plaintiff in this matter.
2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on April 24, 1974. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.
3. I have known David A. Ettinger since at least 1995.
4. Mr. Ettinger is a member of the firm Honigman Miller Schwartz and Cohn LLP, in Detroit, Michigan.

5. I have found Mr. Ettinger to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of David A Ettinger, pro hac vice.
7. I respectfully submit a proposed order granting the admission of David A. Ettinger, pro hac vice, which is attached hereto as Exhibit A.

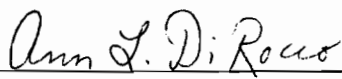
WHEREFORE it is respectfully requested that the motion to admit David A. Ettinger, pro hac vice, to represent Plaintiffs in the above captioned matter, be granted.

Dated: May 9, 2007  
New York, New York

Respectfully submitted,

  
\_\_\_\_\_  
John F. Collins (JC 9324)

Sworn to before me this  
9th day of May, 2007.

  
\_\_\_\_\_  
Notary Public

ANN L. DIROCCO  
NOTARY PUBLIC, State of New York  
No. 01D14664693  
Qualified in Westchester County  
Certificate Filed in New York County  
Commission Expires February 28, 2011

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF NEW YORK**

USA BASEBALL, THE NATIONAL HIGH SCHOOL  
BASEBALL COACHES ASSOCIATION, DR. PETER  
BERG, JUAN HERNANDEZ, DENNIS CANALE, MEL  
ZITTER, MICHAEL CRUZ, TITO NAVARRO, JOHN  
TORRES, EASTON SPORTS, INC., WILSON  
SPORTING GOODS CO., RAWLINGS SPORTING  
GOODS COMPANY, HILLERICH & BRADSBY  
COMPANY, INC.,

Plaintiffs,

- against -

CITY OF NEW YORK,

Defendant.

**07 Civ. 3605 (JGK)**

**ORDER FOR ADMISSION  
PRO HAC VICE  
ON WRITTEN MOTION**

Upon the motion of JOHN F. COLLINS attorney for Plaintiffs

and said sponsor attorney's affidavit in support;

**IT IS HEREBY ORDERED** that

Applicant's Name: DAVID A. ETTINGER

Firm Name: Honigman Miller Schwartz and Cohn LLP

Address: 660 Woodward Avenue, 2290 First National Building

City/State/Zip: Detroit, MI 48226-3506

Telephone/Fax: 313 465-7368

313 465-7369

Email Address: dettinger@honigman.com

is admitted to practice pro hac vice as counsel for the named plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the pro hac vice fee to the Clerk of Court.

Dated: May , 2007  
New York, New York

\_\_\_\_\_  
United States District/Magistrate Judge

UNITED STATES DISTRICT COURT

Eastern District of Michigan

**CERTIFICATE OF GOOD STANDING**

I, David J. Weaver, *Clerk of this Court,*

*certify that* David A. Ettinger,

*was duly admitted to practice in this Court on*

November 1, 1977, *and is in good standing*

*DATE*

*as a member of the Bar of this Court.*

*Dated at* Detroit, MI *on* May 8, 2007.

*LOCATION*

*DATE*

David J. Weaver  
*CLERK*

  
*Kelly Clark*  
*DEPUTY CLERK*

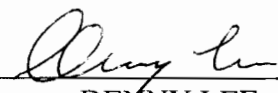
**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK     )  
  SS.:  
COUNTY OF NEW YORK    )

DENNY LEE, being duly sworn, deposes and says: I am not a party to the action, am over 18 years of age and am employed by the law firm of Dewey Ballantine LLP in New York, New York.

On the 10<sup>th</sup> day of May, 2007, I served the attached MOTION TO ADMIT COUNSEL PRO HAC VICE via First Class Mail to the parties listed below at their address designated for service of papers:

Jerold Horowitz, Esq.  
New York City Law Department  
Office of the Corporation Counsel  
100 Church Street  
New York, New York 10007

  
\_\_\_\_\_  
DENNY LEE  
Lic. No. 1204789

Sworn to before me this  
10<sup>th</sup> day of May, 2007

  
\_\_\_\_\_  
NOTARY PUBLIC

ANNE O'CONNOR  
NOTARY PUBLIC, State of New York  
No. 01OC6042348  
Qualified in Nassau County  
Certificate Filed in New York County  
Court of Claims Records 60-22, 2007